

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. NO. 04-CV-10521-GAO

BETTY ANNE WATERS, as Administratrix of the
Estate of KENNETH WATERS,

Plaintiff

v.

TOWN OF AYER, NANCY TAYLOR-HARRIS,
in Her Individual Capacity, ARTHUR BOISSEAU,
In His Individual Capacity, BUDDY DECOT, In
His Individual Capacity, WILLIAM ADAMSON,
in His Individual Capacity, PHILIP L. CONNORS,
in His Individual Capacity, and JOHN DOE and
JANE DOES 1-16, in Their Individual Capacities,

Defendants

DEFENDANTS' ASSENTED-TO
MOTION TO AMEND
SCHEDULING ORDER

Now come the defendants to the above-referenced case and hereby respectfully move, with the plaintiff's assent, that the Court amend its June 18, 2007 Scheduling Order by adding a provision extending all remaining deadlines by three weeks. As grounds for this Motion, the defendants rely on the within Statement of Reasons.

STATEMENT OF REASONS

1. By the Scheduling Order adopted by the Court on or about December 6, 2007, plaintiff's expert disclosures were to be made by July 2, 2007 and the defendants' expert disclosures are to be made by August 3, 2007.

2. On June 15, 2007, the plaintiff filed a Motion seeking to enlarge the time for the plaintiff's expert disclosures by three weeks to July 23, 2007.

3. On June 18, 2007, the Court (Dien, J.) allowed the Motion before the defendants had an opportunity to respond.

4. As such, the defendants now have only two weeks after the plaintiff's expert disclosures to make their expert disclosures. This is an insufficient amount of time for the defendants to make their expert disclosures.

5. Moreover, if the time for designation of experts is enlarged, the remaining deadlines for the filing of dispositive motions should be enlarged accordingly so that the parties have an opportunity to resolve or narrow the issues prior to trial.

6. No party will be prejudiced by the allowance of this Motion and the plaintiff has assented.

WHEREFORE, the defendants respectfully request that the Court's Order of June 18, 2007 be amended by extending all remaining dates by three weeks.

DEFENDANTS,

By their attorneys,

/s/ Gregg J. Corbo
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